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Forty-seventh session
Agenda item 12

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Letter dated 7 February 1991 from the Chargé d'affaires of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights

I have the honour to enclose herewith a letter dated 6 February 1991, addressed to you by the Secretary of the People's Bureau for Foreign Liaisons and International Co-operation.

I would be grateful if this letter would be distributed as an official document of the Commission on Human Rights under agenda item 12 of its fort' seventh session.

(Signed): Ibrahim A. OMAR
Chargé d'affaires

ANNEX

The United States of America has kidnapped five senior Libyan Officers who had been prisoners of war in Chad, and has removed them by force from Zaire territory to an unknown place. There is no doubt that the United States will endeavour to use them for ends hostile to their country, and perhaps for acts of sabotage that would serve its own interests.

The kidnapping and the related hostile, criminal and inhuman acts are a flagrant violation of the 1949 Geneva Convention relative to the Treatment of Prisoners of War, and are clearly incompatible with its provisions. Apart from the fact that the United States is neither a protecting Power under the Convention, nor a neutral Power, it is not a party to the conflict. The provisions of this Convention, or of any other convention, do not authorize it to take any action regarding the Libyan prisoners of war; any such action would therefore be devoid of legality.

By this action the United States has also failed to fulfil the contractual obligations of Contracting Parties under Article I to ensure respect for the provisions of the 1949 Geneva Convention relative to the Treatment of Prisoners of War.

These flagrant violations on the part of the United States Administration of the provisions of the 1949 Geneva Conventions, especially the third Convention, oblige us resolutely to call for action that would enable the Libyan prisoners of war to return home immediately. We also call upon the United States authorities to respect the international Covenants and Conventions already adopted by the international community.

(Signed): Ibrahim Mohamed El-Bishari,
Secretary of the People's Bureau
for Foreign Liaisons and
International Co-operation

List of Officers
referred to in the letter

1. Col. Khalifah HAFTAR

2. Col. Saleh El-HABOUNI

3. Maj. Abdallah El-SHAYKHI

4. Capt. Salem El-ZEIGIN

5. Lt. Misbah Ahmad JUMAH

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